

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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BRET MICHAELS and LAST CHILD  
PRODUCTIONS,

Plaintiffs,

vs

5:10-CV-989

MICHAEL S. BANKS and ALOHA EVENTS, LLC,

Defendants.

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APPEARANCES:

BIENSTOCK, MICHAEL LAW FIRM  
Attorneys for Plaintiffs  
411 Hackensack Avenue  
Hackensack, NJ 07601

MICHAEL S. BANKS  
Defendant, Pro se  
5 Oriole Path  
Liverpool NY 13090

DAVID N. HURD  
United States District Judge

OF COUNSEL:

BRENT M. DAVIS, ESQ.  
RONALD S. BIENSTOCK, ESQ.

**DECISION and ORDER**

Plaintiff brought this action asserting claims of breach of contract and defamation.

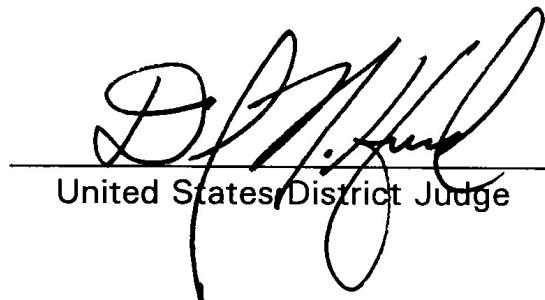
On April 29, 2011, the Honorable David E. Peebles, United States Magistrate Judge, advised, by Report-Recommendation, that plaintiffs' motion to strike the answer of Aloha Events, LLC, be granted, that the answer be stricken, and default be entered. No objections to the Report-Recommendation were filed.

Based upon a careful review of entire file and the recommendations of the Magistrate Judge, the Report-Recommendation is accepted in whole. See 28 U.S.C. 636(b)(1). Accordingly, it is

ORDERED that

1. Plaintiffs' motion to strike the answer of Aloha Events, LLC, is GRANTED;
2. The answer of Aloha Events, LLC, is STRICKEN from the record; and
3. The Clerk of the Court is directed to enter default against Aloha Events, LLC.

IT IS SO ORDERED.



United States District Judge

Dated: May 27, 2011  
Utica, New York.